

Message Text

UNCLASSIFIED

PAGE 01 NEW DE 06200 202238Z
ACTION SCS-06

INFO OCT-01 NEA-10 ISO-00 L-03 CA-01 JUSE-00 /021 W
-----112396 211317Z /72

R 200740Z APR 78
FM AMEMBASSY NEW DELHI
TO SECSTATE WASHDC 1057

UNCLAS NEW DELHI 6200

E.O. 11652: N/A
TAGS: CGEN: (DUGGAL, AJIT AND SIBLINGS)
SUBJECT: JUDICIAL ASSISTANCE, WELFARE AND WHEREABOUTS

REF: STATE 095630 AND PREVIOUS

1. ATTORNEY WHOM WE HAVE FOUND RESPONSIBLE IN PAST DEALINGS TELLS US THAT IF MRS. DUGGAL WAS NOT REPRESENTED IN THE APRIL 5 HEARING ON THE CUSTODY OF HER THREE SONS, THE COURT DECISION NO DOUBT FINALIZED THE PREVIOUS DE FACTO ARRANGEMENT AND CHILDREN WILL CONTINUE RESIDE WITH THEIR FATHER. ATTORNEY SAYS THAT THIS CASE CAN BE APPEALED BY MRS. DUGGAL WITHIN 30 DAYS, I.E., BY MAY 5. WE PRESUME MRS. DUGGAL HAS ATTORNEY LIST IN ORDER SELECT LAWYER FOR POSSIBLE APPEAL BUT WISH TO ADD NAME OF M.L. LAHOTY, SUPREME COURT ADVOCATE RECENTLY ADDED TO LIST, WHOSE ADDRESS IS 21/50 OLD RAJINDER NAGAR, NEW DELHI 110060, TEL. 385551 OR 385552.

2. IF CASE IS APPEALED AND MRS. DUGGAL WISHES US TO TRANSMIT INFORMATION TO COURT THROUGH MINISTRY OF EXTERNAL AFFAIRS WE WOULD BE GLAD TO DO SO. AS MENTIONED PREVIOUSLY, THERE IS NO GUARANTEE THIS TRANSMISSION WOULD BE ACCOMPLISHED PROMPTLY.

3. ATTORNEY ADVISES US HOWEVER (AND THIS HAS ALSO BEEN OUR EXPERIENCE IN INDIA), THAT UNLESS MRS. DUGGAL CAN PROVE HER FORMER HUSBAND IS UNFIT -- WHICH CONSIDERING UNCLASSIFIED

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HIS FAMILY POSITION HERE IS QUITE UNLIKELY -- IT WOULD NOT BE POSSIBLE FOR HER TO HAVE THE CUSTODY DECISION SET ASIDE.

4. POST REGRETS NEGATIVE TONE OF RESPONSE BUT BELIEVES THIS INFO MOST REALISTIC. WE ARE WRITING IN MORE DETAIL TO SENATOR STEVENS WHO HAS MOST RECENTLY SENT INQUIRY ON THIS

CASE.

5. CONSOFF VISITED DUGGAL CHILDREN AT HOME OF THEIR FATHER
ON APRIL 17 AND FOUND THEM APPARENTLY IN GOOD HEALTH AND
SPIRITS. OFFER TO TRANSMIT MAIL TO AND FROM THEIR MOTHER
WAS HAPPILY RECEIVED, THOUGH AS YET NO CORRESPONDENCE HAS
BEEN GIVEN US.

6. SENATORS STEVENS AND GRAVEL INTERESTED.
GOHEEN

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NNN

Message Attributes

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Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
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